Attorney Docket No.: 700145.4004

## **DECLARATION**

As a below named inventor, I hereby declare that:						
This declaration is of the follow	ving type:					
original design supplemental national stage		divisional continuation continuation				
My residence, post office addr	ess and citizenship are a	as stated below	w next to my name	е.		
I believe I am the original, firs joint inventor (if plural names is sought on the invention specification of which	are listed below) of the	subject matter	which is claimed	and for which	ch a patent	
(b)	ached hereto OR filed on and was amended on described and claimed i and	n PCT Interna	ational Application	ı No		
filed onand was amended on (if applicable).  I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.						
I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56, including for continuation-in-parts applications, material information which became available between the filing date of the prior application and the filing date of the national or PCT international filing date of the continuation-in-part application.						
I hereby claim foreign priority benefits under 35 USC 119 (a) – (d), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by check the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s) or any PCT international application having a filing date before that of the application of which priority is claimed.						
(d)  no such applications have been filed (e) such application have been filed as follows:						
Prior Foreign Application Number(s)	Country	Date of Filing		Priority Cla Yes	imed No	
I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.						
Application Number(s)	Filing Date				•	
60/454,171	March 11, 2003			•		
60/454,178	March 11, 2003					
I hereby claims the benefit under 35 USC § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 USC § 112, I acknowledge the duty to disclose material information as defined in 37 CFR § 1.56(a), regarding events which occurred between the filing date of the prior application and the national or PCT international filing date of this application:						
Application Serial No.   Filing Date   Status_natented_pending_abandoned				doned		

Attorney Docket No.: 700145.4004

Direct all correspondence to:

Orrick, Herrington & Sutcliffe LLP

Attn:

4 Park Plaza, Suite 1600

Irvine, CA 2614-2558

34313

Customer No.

Tel. (949) 567-6700 Fax. (949) 567-6710

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

	FULL NAME OF INVENTOR	FIRST Name Carl	MIDDLE Initial W.	LAST Name Podella		
201	RESIDENCE & CITIZENSHIP	City Irvine	State or Foreign Country CA	Country of Citiz United States	zenship	
	POST OFFICE ADDRESS	46 Christamon	City Irvine	State or Country CA	Zip Code 92620	
INVENTOR'S SIGNATURE Cand W. Fodulla Date: 3/11/04						

	FULL NAME OF INVENTOR	FIRST Name Nils	MIDDLE Initial Siegfried	LAST Name Hauptmann	
202	RESIDENCE & CITIZENSHIP	City Orange	State or Foreign Country CA	Country of Citizenship Germany	
	POST OFFICE ADDRESS	7023 E. Horizon Dr.	City Orange	State or Country CA	Zip Code 92867
INVENTOR'S SIGNATURE Will Acupture Date: 8/11/04					

Attorney Docket No.: 700145.4004

## POWER OF ATTORNEY BY ASSIGNEE

<u>Advanced BioCatalytics Corporation</u>, assignee of the application for United States and International Letters Patent for an improvement in:

## ALTERING METABOLISM IN BIOLOGICAL PROCESSES

the specification of which:	
(a) is attached hereto OR (b) was filed on as United States Application Serial and was amended on if applicable	No.
(c) was described and claimed in PCT International Application No filed on (if applicable).	— ,
does hereby appoint as its attorneys and/or agents, with full power of substitution and revocation prosecute this application and transact all business in the United States Patent and Trademark Office, in countries other than the United States, and to do all things necessary or appropriate therefore before competent International Authorities in connection with any international patent application(s) correspond to the above-identified application, all of the registered practitioners identified by Customer Number 343	and any ding
Direct all correspondence to :	
Customer No. Orrick, Herrington & Sutcliffe LLP Attn: James W. Geriak	
34313 4 Park Plaza, Suite 1600 Irvine, CA 2614-2558 Tel. (949) 567-6700 Fax. (949) 567-6710	
I, the undersigned, declare that I have reviewed copies of the documentary evidence establishing chatitle to the patent application identified above from the inventor(s) to the assignee(s), which:	in of
<ul> <li>is filed for recordation herewith; or</li> <li>was recorded at Reel, Frame; or</li> <li>has been sent for recordation under separate cover, copy attached herewith.</li> </ul>	
The undersigned, whose title is supplied below, is empowered to act on behalf of the assignee.	
I hereby declare that all statements made herein of my own knowledge are true, and that all statem made on information and belief are believed to be true; and further, that these statements are made with knowledge that willful false statements and the like so made are punishable by fine or imprisonmen both, under Section 1001, Title 18 of the United States Code, and that such willful false statements jeopardize the validity of the application or any patent issuing thereon.	the t, or
Full Name of Assignee: Advanced BioCatalytics Corporation	
Post Office Address: 18010 Skypark Circle, Suite 130, Irvine, California 92614	
Signature of Declarant or Assignee:  Date:  3 /11/04	
Full Name of Declarant	
If Other Than Assignee: John W. Baldridge  Title of Declarant: Chairman of the Board	$\dashv$